

**BEST AVAILABLE COPY****WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING  
AUTHORITY (SEPARATE SHEET)**

International application No.

PCT/GB2004/002833

**Re Item V****Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. Reference is made to the following documents:**

- D1: US 2001/029708 A1 (RICHARDSON CHRISTOPHER) 18 October 2001 (2001-10-18)
- D2: US-A-6 164 024 (KONSTANTIN MOSHE) 26 December 2000 (2000-12-26)
- D3: EP-A-0 092 078 (GEBHARDT MANFRED ; HOFF FRANZ CLEMENS (DE)) 26 October 1983 (1983-10-26)
- D4: DE 196 34 907 A (OVER HELMUT) 18 September 1997 (1997-09-18)
- D5: US-B-6 347 4951 (CONTERNO COSIMO) 19 February 2002 (2002-02-19)
- D6: EP-A-1 033 453 (DEGELSEGGER WALTER) 6 September 2000 (2000-09-06)
- D7: DE 296 06 125 U (RASMUSSEN MOGENS VILFRED) 20 June 1996 (1996-06-20)
- D8: GB-A-2 211 536 (LONSDALE METAL COMPANY) 5 July 1989 (1989-07-05)

**2.1. General remark on set of claims - missing claims 14-21**

The present set of claims is not clear, because **claims 14-21** are missing. Claims 22-24 comprise a direct or indirect reference to one of these claims. The scope of said **claims 22-24** is therefore unclear. Claims 22-24 are therefore not further discussed in this statement.

**2.2. Independent claim 1 - novelty objection (D1)**

The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 is not new in the sense of Article 33(2) PCT.

The document **D1** discloses (the references in parentheses applying to this document, especially to fig. 2):

a capping (32) of uPVC (cf. D1, page 2, paragraph [0025]) for location on a structural member (30), wherein the capping is twin walled (outer wall 60 and an inner wall 63) and has means (69, 70) for location on the structural member (30).

Moreover, also document **D2** (fig. 4), **D3** (fig. 6) and **D4** (fig. 1) disclose such a plastic capping.

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PCT/GB2004/002833**2.2. Independent claim 25 - novelty objection (D1)**

Document D1 (fig. 2) also discloses the combination of an upper capping (32) and a glazing bar (30) having a stem (38) and lateral flanges for supporting roofing panels (24). Therefore, present claim 25 is not new over D1 (Article 33(2) PCT).

**2.3. Independent claim 52 - novelty objection (D5)**

The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 52 is not new in the sense of Article 33(2) PCT.

The document D5 discloses (the references in parentheses applying to this document, especially to fig. 1):

a glazing bar (1) and an upper capping (3) therefor and means for locating the capping on the glazing bar (8, 15) and wherein the glazing bar (1) has a stem (5, 7) and lateral flange means (6) for supporting roofing panels (4), and wherein the space within the capping (3) between the stem (5, 7) and the roofing panel (4) is divided into at least two chambers by projections (9, 14).

**2.4. Dependent claims**

Dependent claims 2-13, 22-24, 26-38, 42-46 and 53-61 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step, see documents D1-D8 and the corresponding passages or figures cited in the search report.

**3.1. The combination of:**

- all the features of present claims 25, 27 and 39 and
- the following additional features:
  - the upper capping and the lower capping are separate elements (\*)
  - both the lower capping, as well as the upper capping are formed as one integral piece (\*\*).

is neither known from, nor rendered obvious by, the available prior art.

**Remarks:**

- (\*) In order to distinguish the subject-matter of the application from D4 (fig. 1), where the capping (3) comprises both the lower capping, as well as the upper capping.
- (\*\*) In order to distinguish the subject-matter of the application from D1 (fig. 2). The lower capping of D1 comprises two separate elements (74, 76) which form three

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chambers separated by spacing webs (lips 88, 100).

3.2. Starting from D1, the skilled person would not consider producing the capping parts 74 and 76 as one integral piece. The separate parts 74 and 76 have different functions. Part 74 functions as drainage path and part 76 has a pure decorative function. Therefore, it's important to have the possibility to cut part 76 in order to adapt it to internal cladding, while part 74 extends as drainage path (cf. D1, page 2, passage [0033]).

3.3. Therefore, a set of claims comprising:

- a claim 1 comprising all the features of paragraph 3.1., and
- claims dependent on such a claim 1 and based on the present set of claims would fulfill the requirements of the PCT.

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(J. Demeester)